

## **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed May 19, 2005. Upon entry of the amendments in this response, claims 13, 14 and 19 remain pending. In particular, Applicant has amended claims 1 – 5, 13 and 19, has added claims 23 – 29, and has canceled claims 6 – 12, 15 – 18 and 20 without waiver, disclaimer or prejudice. Applicant has canceled claims 6 – 12, 15 – 18 and 20 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Indication of Allowable Subject Matter**

The Office Action indicates that claim 16 is objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form. As set forth above, Applicant has amended claim 13 to include the limitations previously recited in claim 16. Therefore, Applicant respectfully asserts that claim 13 is in condition for allowance. Additionally, since claims 14 and 19 are dependent claims that incorporate the limitations of claim 13, Applicant respectfully asserts that these claims also are in condition for allowance.

### **Election/Restriction**

The Office Action indicates that newly submitted claims 1 – 12 and 21 – 22 are directed to a distinct invention and that Applicant had constructively elected

claims 13 – 20 for prosecution. In this regard, Applicant has canceled claims 6 – 12, 15 – 18 and 20 and respectfully asserts that the requirement has been rendered moot. With respect to claims 1 – 5, 21 and 22, Applicant has amended these claims and respectfully asserts that the requirement has been accommodated.

**Rejections Under 35 U.S.C. §102**

The Office Action indicates that claims 13-15 and 17-20 stand rejected under 35 U.S.C. §102(b) as allegedly being unpatentable by *Selker*. With respect to claim 15, 17, 18 and 20, Applicant has canceled these claims and respectfully asserts that the rejection as to these claims has been rendered moot. With respect to claims 13, 14 and 19, Applicant respectfully traverses the rejections. In particular, Applicant respectfully asserts that claims 13, 14 and 19 are in condition for allowance for at least the reason that claim 13 has been amended to incorporate features previously recited in claim 16, the allowability of which is set forth in the Office Action. Notably, claims 14 and 19 also have been amended to depend from claim 13.

With respect to claim 1, Applicant has amended that claim to recite:

1. A device, comprising:  
a device body;  
a display enclosure outwardly protruding from the device body;  
a display located in the display enclosure; and  
a shield unit comprising a display shield, and auxiliary shade screen and an adjustable coupler;  
the display shield being coupled to the display enclosure so that the display shield may be selectively oriented in at least *a first position* covering the display, *a second position* shading the display from incident light, and *a third position* retracted behind the display;  
*the auxiliary shade screen being coupled to the display shield,*  
*the auxiliary shade screen providing additional shade from incident light on the display; and*  
*the adjustable coupler coupling the auxiliary shade screen to the display shield such that a position of the auxiliary shade screen is adjustable.*

(Emphasis added).

Applicant respectfully asserts that the cited art, either individually or in combination, is legally deficient for the purpose of rendering claim 1 unpatentable. In particular, Applicant respectfully asserts that none of the references or combinations thereof teaches or reasonably suggests at least the features/limitations emphasized above in claim 1. Therefore, Applicant respectfully asserts that claim 1 is in condition for allowance.

Since claims 2 – 5, 21 and 22 are dependent claims that incorporate all the features/limitations of claim 1, Applicant respectfully asserts that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

#### Newly Added Claims

In this response, Applicant has added new claims 24 – 29 and respectfully asserts that these claims are in condition for allowance for at least the reasons indicated below. No new matter has been added.

24. A device comprising:  
a display enclosure having slots;  
a display mounted to the display enclosure, the display having a front and a back, the front being operative to display images;  
a shield operative to shield the front of the display from incident light; and  
*first and second extensions spaced from each other and extending from the shield, each of the first and second extensions having a pin at a distal end thereof, each said pin engaging within a corresponding one of the slots such that each said pin is slideable within the corresponding one of the slots and rotatable such that the shield is movable between a first position to block incident light from reaching the front of the display and a second position adjacent the back of the display.*

(Emphasis added).

Applicant respectfully asserts that the cited art, either individually or in combination, is legally deficient for the purpose of rendering claim 24 unpatentable.

In particular, Applicant respectfully asserts that none of the references or combinations thereof teaches or reasonably suggests at least the features/limitations emphasized above in claim 24. Therefore, Applicant respectfully asserts that claim 24 is in condition for allowance.

Since claims 25 - 29 are dependent claims that incorporate all the features/limitations of claim 24, Applicant respectfully asserts that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

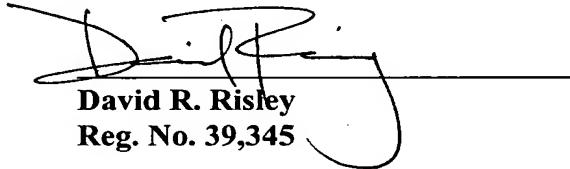
**Art Made of Record**

The art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



**David R. Risley**  
Reg. No. 39,345